To the works cited as using the specific name *sylvanus* (paras. 2 and 5 of the application) may be added the widely known handbooks of Staudinger (1901, p. 115), Spuler (1902, pp. 72–73), Rebel (1909, pp. 79–80), Eckstein (1913, p. 115), Lampert (1923, p. 108) and Lempke (1936, p. 312).

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Comment on the proposed conservation of the names *Hydrosaurus gouldii* Gray, 1838 and *Varanus panoptes* Storr, 1980 (Reptilia, Squamata) by the designation of a neotype for *Hydrosaurus gouldii*

(Case 3042; see BZN **54**: 95–99, 249–250).

Glenn M. Shea

Department of Veterinary Anatomy & Pathology, University of Sydney, NSW 2006, Australia

Harold G. Cogger

The Australian Museum, 6 College Street, Sydney, NSW 2000, Australia

1. We are writing in support of the purpose of the application, published in BZN **54**: 95–99 (June 1997) by Prof Robert Sprackland, Prof Hobart Smith and Dr Peter Strimple, to maintain existing usage of the names *Varanus gouldii* (Gray, 1838) and *V. panoptes* Storr, 1980, threatened by the discovery by Böhme (1991) that the putative lectotype of *Hydrosaurus gouldii* Gray, 1838 is conspecific with *V. panoptes* and not with the species to which the name *V. gouldii* has usually been applied.

2. We offer evidence, not presented in the original application, that the lectotype designated by Mertens (1958) may not have been part of the original type series and hence that the designation was not valid, and further that Gray's original concept of the species *H. gouldii* may have included, or been based upon, the species to which the name is usually applied. We also argue that the neotype proposed for *H. gouldii* by Sprackland et al. is inappropriate and we nominate a new specimen to serve as neotype.

3. We also point out that both of the names proposed for conservation are potentially threatened by two unused senior synonyms, both of which are made available only by the provision of measurements. *Tupinambis endrachtensis* was

described by Péron (1807, p. 118) from Bernier Island in Shark Bay, Western Australia, collected by the Baudin Expedition. Douglas & Ride (1962), Cogger, Cameron & Cogger (1983) and Böhme (1991), the only authors who have mentioned the name, recommended it be treated as either a nomen nudum or a nomen oblitum (in the sense of the 1961 and 1964 editions of the Code). Although two specimens were apparently collected on Bernier Island by the expedition (Baudin, 1974), neither is now extant (Roux-Esteve, 1979; Brygoo, 1987). However, the identity of the species is beyond doubt, as *V. gouldii* is the only lizard present on Bernier Island of the size given by Péron (see Storr & Harold, 1978; Storr, 1980). Consequently, and without a ruling to the contrary by the Commission, it is almost certainly an available name and remains a potential threat to the long-established name *Varanus gouldii*. The name *Hydrosaurus ocellarius* appeared in a catalogue of reptiles in the museum of the Asiatic Society of Bengal (Theobald, 1868, p. 21). The name was ascribed to Blyth, and was associated with a stuffed specimen ('in bad state') from an unspecified locality in Australia, collected by Dr J. MacClelland. Prior to the recognition of *V. panoptes* as a distinct species, *Hydrosaurus ocellarius* was synonymised with *V. gouldii* by Mertens (1942), on the basis of the locality, original generic assignment and species name. Mertens (1963) later regarded the name as a nomen dubium. Cogger et al. (1983) subsequently noted Mertens's conclusion while retaining it in the synonymy of *Varanus gouldii*. We have not been able to locate the holotype to confirm the identity of the species. However, two sources of circumstantial evidence suggest that *Hydrosaurus ocellarius* is a senior synonym of *Varanus panoptes*. Firstly, the specific epithet better fits *V. panoptes* than *V. gouldii* (indeed, the specific epithet *panoptes* also refers to the numerous distinct 'ocelli' on the dorsum of the species). Secondly, a single specimen of *Varanus panoptes* (BMNH 68.4.3.58), supposedly from Pegu, Burma (well beyond the range of the species) and donated by Theobald, is present in the Natural History Museum, London. Although this specimen, preserved in alcohol, cannot be the type (despite closely approximating the measurements given for Blyth's specimen), it does indicate that material of the species was available on the Indian subcontinent at the time.

4. Gray's (1838) description of *Hydrosaurus gouldii* is brief ('... with two yellow streaks on the sides of the neck; scales over the orbits small, flat'), and he neither nominated type specimens nor specified where the type material had been deposited, although he had stated in the introduction to his paper that the new species he described were 'either in the National Collection or Museum of the Army Medical Board at Chatham' (Gray, 1838, p. 275). The description fits both *V. gouldii* and *V. panoptes* in the senses in which both names have been subsequently applied.

5. The application of the name *gouldii* to the species, though not explicitly stated in the original description, is presumed to honour the ornithologist John Gould, one of Gray's peers. At the time of the description, Gould was Ornithologist at the Museum of the Zoological Society of London, which has since been disbanded. However, there is no basis for assuming that Gould was directly connected with the species named in his honour. Gray frequently named species after his colleagues at the British Museum and other institutions.

6. As John Gray was employed at the Natural History Museum, London (then part of the British Museum), it is likely that any specimens of *V. gouldii* or

V. panoptes in that collection prior to 1838 could be considered type specimens. The other possible depository of the types, the Museum of the Army Medical Board at Chatham, is no longer extant.

7. In the first catalogue of the lizards in the British Museum, Gray (1845) listed 15 specimens of *V. gouldii* (as *Monitor gouldi*) in that collection. Of these, six (h-j, Port Essington, Capt. Chambers; k, Port Essington, Mr Gould; l-m, Adelaide, C.D. Fortnum) cannot be part of the type series, as they could not have been collected until 1840 or later (see Musgrave, 1932; Calaby, 1974). Of the remaining nine specimens, only four can be clearly identified in the second catalogue of lizards in the collection (Boulenger, 1885), viz. Gray's specimens a-d, half-grown, stuffed, north-west Australia, Gould collection (= b-e of Boulenger). Significantly, neither Gray or Boulenger identified any of these or any other specimens of *V. gouldii* in the British Museum collection as part of the type series of that species.

8. One of these four specimens a-d, BMNH 1946.9.7.61 (formerly identified as 1.17a, and corresponding to Gray's specimen a) was nominated as lectotype of *H. gouldii* by Mertens (1958), who based his identification of the specimen as part of the type series on the basis of a pencilled annotation 'Feb. 1837' on the underside of the board on which the specimen is mounted. This is the specimen subsequently identified by Böhme (1991) as *V. panoptes*, a species known predominantly from northern Australia and parts of the south-western interior of the continent.

9. However, John Gould and his collector John Gilbert did not arrive in Australia until September 1838, and neither collected outside south-western and south-eastern Australia until Gilbert travelled to Port Essington in January 1840 (see Whittell, 1954).

10. From 1836 to 1839, prior to leaving England for Australia, Gould had received material from Australia, describing a number of bird species (see, for example, Gould, 1836). However, all of the species described by Gould prior to his Australian expedition were either explicitly noted to have been collected in southern Australia (Swan River, Murrumbidgee River, or Tasmania) or are of species found in this region, sometimes exclusively. Prior to 1838, Gould did not describe any species of bird from Australian material that was found exclusively within the range of *V. panoptes*.

11. Gould is known to have offered a collection of seven specimens, representing five species of reptiles from Australia, to the Zoological Society of London in February 1837 (Datta, 1997, p. 50), and it may be from this collection that the lectotype is derived. However, the locality and identification subsequently attributed to the lectotype do not concord with the possible sources of Gould's collection at that time. Further, other reptile specimens which bear the same pencilled date on their mounts were not described by Gray until 1845, suggesting that they did not arrive at the British Museum until much later than 1837. Hence, there must remain some considerable doubt that the pencilled date on the specimen represents the date of their acquisition by the British Museum. There is no other evidence that the specimen formed part of Gray's type series for *H. gouldii*.

12. One of us (G.M.S.) has recently searched through the donations books for the British Museum for the period 1823 to 1839 and found only two donations of Australian material from Gould, both of birds only (February 25, 1837; April 8,

1837). However, an entry on January 27, 1838, six months prior to the publication (July 1838) of the description of *Hydrosaurus gouldii*, reads: 'A specimen of *Monitor Gouldii* Gray and *Trachydosaurus rugosus* Gray from New Holland. From Walter Buchanan esq.'. This entry is also annotated: 'Reg Jan 19 1838 No. 230 231', resulting in a registration number in the then recently-commenced system of 38.1.19.230–231 for these two specimens. Buchanan donated several lots of specimens to the British Museum, either explicitly from the locality 'Swan River', or which could only have come from south-western Australia, in which the Swan River settlement was located. The varanid specimen was not cited by Gray (1845) seven years after its acquisition by the British Museum, nor is it now able to be identified in the collections of the Natural History Museum, London. However, it does provide evidence that Gray's concept of the species, prior to its description, could have included the species now known as *V. gouldii*. Two members of the *V. gouldii* complex occur in the vicinity of the Swan River, *V. gouldii* and *V. rosenbergi* Mertens, 1957.

13. To designate a neotype for *Hydrosaurus gouldii* is clearly the most suitable way to stabilise application of the name, and we agree with the sentiment expressed by Sprackland et al. in their application that the neotype should be in the collection worked on by Gray and in which the former supposed lectotype was located. However, we believe that the specimen proposed as neotype by Sprackland and his colleagues is inappropriate. *Varanus gouldii* occurs across much of the Australian continent and shows considerable geographically-based variation (see Mertens, 1958; Houston, 1978; Storr, 1980). It is likely that when this variation is formally analysed, the species will be further subdivided. The neotype proposed for *H. gouldii* has no specific location associated with it, and is an old, discoloured, stuffed and mounted specimen not suitable for accurate measurement or for loan to specialists. As there has been, until recently, no well-preserved material of this species with precise locality data in the collection of the Natural History Museum, London, we have arranged, through the courtesy of Dr Graham Thompson of Edith Cowan University and Mr Laurie Smith of the Western Australian Museum, and following consultation with Prof Sprackland, for a preserved subadult *V. gouldii* (BMNH 1997.1, formerly Western Australian Museum R131792) to be lodged in the Natural History Museum to serve as the neotype. This specimen, from Karrakatta, Perth, Western Australia, collected by G. Thompson on 29 September 1997, is from a population that is well-studied ecologically (see Thompson, 1992, 1994, 1995, 1996a, 1996b; Thompson & Withers, 1992; Thompson, Withers & Thompson, 1992) and is concordant with the locality for Walter Buchanan's specimen that was available to Gray prior to the publication of the description. A manuscript thoroughly describing and illustrating this specimen is in preparation.

14. We therefore propose that the specimen put forward as the neotype of *Varanus gouldii* Gray, 1838 by Sprackland, Smith & Strimple in their application (BZN **54**: 98) should be replaced by specimen no. BMNH 1997.1 from Karrakatta, Perth, Western Australia and now in the Natural History Museum, London. This proposal has been welcomed by the authors of the application.

15. We further propose that the suppression of the specific names of *Tupinambis endrachtensis* Péron, 1807 and *Hydrosaurus ocellarius* Blyth, 1868 should be added to the original application.

16. The International Commission on Zoological Nomenclature is asked:
(1) to use its plenary powers to suppress the following names for the purposes of the Principle of Priority but not for those of the Principle of Homonymy:
   (a) *endrachtensis* Péron, 1807, as published in the binomen *Tupinambis endrachtensis*;
   (b) *ocellarius* Blyth, 1868, as published in the binomen *Hydrosaurus ocellarius*;
(2) to place on the Official Index of Rejected and Invalid Names in Zoology the following names:
   (a) *endrachtensis* Péron, 1807, as published in the binomen *Tupinambis endrachtensis*, as suppressed in (1)(a) above;
   (b) *ocellarius* Blyth, 1868, as published in the binomen *Hydrosaurus ocellarius*, as suppressed in (1)(b) above.

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Comments on the proposed conservation of the specific name of *Varanus teriae* Sprackland, 1991 (Reptilia, Squamata)

(Case 3043; see BZN **54**: 100–103, 250–251; **55**: 37–39)

(1) T. Ziegler and W. Böhme

Zoologisches Forschungsinstitut und Museum Alexander Koenig, Adenauerallee 160, D-53113 Bonn, Germany

We should like to argue against the application by Prof Robert Sprackland, Prof Hobart Smith and Dr Peter Strimple, published in BZN **54**: 100–103 (June 1997).

1. Wells & Wellington (1985a) described *Odatria keithhornei* based on the holotype QM (= Queensland Museum) J31566 from Buthen Buthen, Nesbit River, Cape York Peninsula, Queensland, collected by Gregory Czechura in August 1978. They 'diagnosed' their new species only by referring to Czechura's (1980) paper (which had recorded emerald monitors from Australia for the first time): 'A member of the *Odatria prasinus* complex, believed confined to Cape York Peninsula, Queensland and readily identified by referring to the excellent diagnostic and descriptive data in Czechura (1980). The holotype of *Odatria keithhornei* is also figured by Czechura (1980: Plate 1)' and concluded with the etymological derivation: 'Named for Mr. Keith Horne, herpetologist of Sydney, New South Wales'.

2. In June 1987 the President of the Australian Society of Herpetologists proposed the suppression for nomenclatural purposes (Case 2531, BZN **44**: 116–121) of three works by Richard W. Wells and C. Ross Wellington (Wells & Wellington, 1984, 1985a, 1985b) — one of them (Wells & Wellington, 1985a) including the description of *Odatria keithhornei*. Reasons for the proposed suppression included the facts that Wells & Wellington (1984, 1985a, 1985b) published their concepts in their own journal independent of any expert opinion and, it was stated, largely without any solid taxonomic basis. Several comments concerning this application appeared in the